

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

SCOTT A. WITZKE,

Plaintiff

v.

Case No. 2:16-13753

District Judge Arthur J. Tarnow

Magistrate Judge Anthony P. Patti

RUSS MARLAN and  
ALEX J. SMITH,

Defendants.

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**ORDER GRANTING PLAINTIFF'S *EX PARTE* APPLICATION FOR  
LEAVE TO POSSESS A CELLULAR PHONE WHEN IN THE U.S.  
COURTHOUSE IN CONNECTION WITH THE INSTANT CASE (DE 34)**

Currently before the Court is the above-described motion, which was filed on October 22, 2017. Neither Defendant has filed a response; therefore, the motion is unopposed.

Upon consideration, Plaintiff's *ex parte* application for leave to possess a cellular phone when in the U.S. Courthouse in connection with the instant case (DE 34) is **GRANTED**, subject to the limitations that the ringer must be turned off and the device may not be used for making audio or video recording anywhere in the Courthouse.

**IT IS SO ORDERED.**

Dated: November 14, 2017

s/Anthony P. Patti

Anthony P. Patti

UNITED STATES MAGISTRATE JUDGE

**Certificate of Service**

I hereby certify that a copy of the foregoing document was sent to parties of record on November 14, 2017, electronically and/or by U.S. Mail.

s/Michael Williams

Case Manager for the

Honorable Anthony P. Patti